

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

JASON MARK HART,

Plaintiff,

V.

DAN SCHNEEWEISS,

Defendant.

CASE NO. C19-1193-RAJ-BAT

**ORDER SETTING DEADLINE FOR  
FILING AMENDED COMPLAINT  
AND EXTENDING DISPOSITIVE  
MOTION DEADLINE**

Plaintiff is proceeding pro se in this civil rights action pursuant to 42 U.S.C. § 1983.

Plaintiff is currently confined at the Monroe Correctional Complex-SOU (MCC-SOU).

Plaintiff's complaint relates to the alleged involuntary administration of anti-psychotic medication by defendants Dan Schneeweiss and Calvin Cogburn during early 2018 and the resulting violations of plaintiff's due process and Eighth Amendment rights. Dkt. 4.

On February 5, 2020, plaintiff filed a separate action alleging the same defendants violated his constitutional rights by involuntarily administering anti-psychotic medication to him during early 2018. *See Hart v. Schneeweiss*, 20-cv-180-RSM-BAT, at Dkt. 1. By order dated February 14, 2020, Hon. Ricardo S. Martinez dismissed plaintiff's complaint in that action as duplicative of this action. *See id.* at Dkt. 4. In that order the Court noted that “[t]hough the complaint here presents some additional facts and allegations, they are all related to the alleged

1 involuntary administration of anti-psychotic medication during early 2018 and the resulting  
2 violations of plaintiff's due process and Eighth Amendment rights." *Id.* The Court further found  
3 that:

4 Given that the acts plaintiff alleges herein arise from the same subject  
5 matter alleged in plaintiff's first complaint (C19-1193-RAJ-BAT), the  
6 instant action is duplicative and is dismissed without prejudice. *See*  
7 *Adams v. California Department of Health Services*, 487 F.3d 684, 688  
8 (9th Cir. 2007) ("Plaintiffs generally have no right to maintain two  
separate actions involving the same subject matter at the same time in the  
same court against the same defendant."). Plaintiff will not be prejudiced  
because he will be able to allege the acts asserted herein, in the complaint  
pending before Judge Jones, in case C19-1193-RAJ-BAT. Plaintiff  
should understand that this will require him to amend the action before  
Judge Jones and to add the allegations contained in the instant complaint.

9  
*Id.*

10 In light of Judge Martinez's order, the Court hereby orders that if plaintiff intends to file  
11 an amended complaint to include the additional allegations raised in the dismissed complaint  
12 (*Hart v. Schneeweiss*, 20-cv-180-RSM-BAT), he must do so **on or before March 4, 2020**. The  
13 Court also hereby amends the pretrial scheduling order and extends the deadline for dispositive  
14 motions to **March 11, 2020**.

15 DATED this 19<sup>th</sup> day of February, 2020.  
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18 BRIAN A. TSUCHIDA  
United States Magistrate Judge  
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